

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL DURAN,

Petitioner,

v.

GAVIN NEWSOM,

Respondent.

Case No. 2:23-cv-01910-JDP (HC)

**ORDER TO SHOW CAUSE**

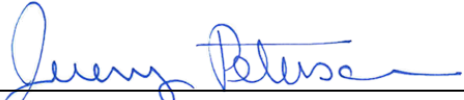
**RESPONSE DUE WITHIN FOURTEEN  
DAYS**

On December 1, 2023, I screened petitioner's petition for a writ of habeas corpus and notified him that it failed to state a viable claim. ECF No. 3. I granted him thirty days to file an amended petition. *Id.* After petitioner failed to file an amended petition, I ordered him to show cause within twenty-one days why this case should not be dismissed for failure to prosecute and failure to comply with court orders. ECF No. 4. On February 19, 2024, petitioner's counsel filed a response indicating that he had health issues arise, but that he would file an amended petition in a week. ECF No. 5. As of this date, no amended petition has been filed.

Out of an abundance of caution, I will grant petitioner fourteen days to file an amended petition. Petitioner's failure to comply with this order will constitute another failure to prosecute and failure to comply with a court order and will result in dismissal of this case. Should petitioner wish to continue with this lawsuit, he shall file, within fourteen days, an amended petition for writ of habeas corpus.

1  
2 IT IS SO ORDERED.

3  
4 Dated: April 5, 2024

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE